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LETTER DATED 15 NOVEMBER 1993 FROM THE PERMANENT REPRESENTATIVE OF BELGIUM TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As representative of the country holding the presidency of the Council of Europe, I have the honour to communicate to you herewith the text of resolution 1010 (1993) on the situation of the refugees and displaced persons in Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

This resolution was adopted by the Parliamentary Assembly of the Council of Europe on 28 September 1993 at its forty-fourth ordinary session.

I should be grateful if you would have the text of this letter and its annex distributed as a document of the Security Council.

(Signed) Paul NOTERDAEME
Permanent Representative

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Annex

[Original: English and French]

PARLIAMENTARY ASSEMBLY
OF THE
COUNCIL OF EUROPE

FORTY-FOURTH ORDINARY SESSION

RESOLUTION 1019 (1993)[1]

on the situation of the refugees and displaced persons in Serbia, Montenegro and the former Yugoslav Republic of Macedonia

1. In accordance with the Assembly's Order No. 483 (1992) on the crisis in the former Yugoslavia, a delegation of the Committee on Migration, Refugees and Demography visited Serbia, Montenegro and the former Yugoslav Republic of Macedonia from 26 July to 3 August 1993 to monitor the situation of the refugees and displaced persons. The purpose of the visit was humanitarian.

2. The Assembly recalls its Recommendation 1205 (1993) and report (Doc. 6740) which resulted from the visit undertaken by a delegation of the committee to Slovenia, Croatia and Bosnia-Herzegovina in November 1992. It also recalls its Resolution 1004 (1993) on the United Nations embargo on Serbia and Montenegro.

3. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), the number of registered refugees in Serbia and Montenegro in June 1993 was 525 000, of whom 357 000 were from Bosnia-Herzegovina and 168 000 from Croatia. In addition, it is estimated that there are a further 100 000 unregistered refugees. Registered refugees account for 5% of the population in Serbia and 11% in Montenegro. In Serbia, about 85% are Serbs, whereas Muslims, Croats and other nationalities make up the remaining 15%. In Montenegro, about one-third are Serbs, one-third Montenegrins and another third Muslims. According to the two republics' laws, all must be treated on an equal footing.

4. In the former Yugoslav Republic of Macedonia, there are 32 000 registered refugees, mostly Muslim, representing 1.5% of the population.

5. In Serbia and Montenegro 95% of the refugees live with host families and 5% in collective centres, which are being brought up to standard under a programme subsidised by the UNHCR.

6. The application of the United Nations embargo on Serbia and Montenegro has had a considerable impact on the economies of these two republics and consequently on the living conditions of the civilian population. The Assembly holds the Serbian and Montenegrin authorities responsible for this situation. Their refusal to accept the relevant resolutions of the United Nations Security Council is the cause of the suffering not only of their peoples but also of the refugees whom they take in.

7. Health care has deteriorated markedly, according to the World Health Organisation. Official figures show that mortality has risen from 10.3 to 11.3 per thousand since 1989. Diseases eradicated have reappeared. In order to be admitted to hospital, patients must supply certain pharmaceutical products, as well as anaesthetics. Because of lack of spare parts for haemodialysis machines, treatment has become ineffective.

8. The decline in the standard of health care in Serbia and Montenegro is mainly due to the disastrous economic situation. Although imports of medical supplies and food are expressly excluded from the embargo, they are nonetheless subject to authorisation by the United Nations Sanctions Committee, a procedure which sometimes causes major delays in deliveries.

9. The obstacles put in the way of essential imports for the population's survival hamper the efforts of the international humanitarian organisations which provide about 10% of the overall needs of the refugees and other vulnerable groups, as well as the transit of humanitarian aid to Bosnia-Herzegovina.

10. The Assembly vigorously condemns the diversion of humanitarian aid intended for refugees in Serbia and Montenegro, either on to the black market or for other purposes not intended by the donors.

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1. Assembly debate on 28 September 1993 (47th Sitting) (see Doc. 6910, report of the Committee on Migration, Refugees and Demography, Rapporteur: Mr Pflüger).
Text adopted by the Assembly on 28 September 1993 (47th Sitting).

11. Asylum policy is in principle open, and the treatment of refugees appears to conform to international standards, with refugee status accorded to those arriving from the republics of the former Yugoslavia without distinction as to national, religious or ethnic origin. Nevertheless, there appear to have been certain restrictions in practice as far as Serbia is concerned. Moreover, there is evidence that Serbian refugees are being encouraged to settle in areas characterised by national, ethnic and religious diversity such as Kosovo, the Sandjak and Vojvodina in order to change the ethnic make-up of the population there to the advantage of the Serb section of the population. Conversely, Muslim refugees are discouraged from settling in such areas, where the situation is already tense. There may also be "indirect discrimination" against Muslim refugees in so far as reduced resources are made available to them. The Assembly firmly condemns such practices.

12. Therefore, while the Assembly remains convinced that the United Nations embargo on Serbia and Montenegro is justified as long as there is no end to the war in Bosnia-Herzegovina and the interests of the Muslim community are not respected, in the light of the above considerations it appeals:

i. to the Security Council of the United Nations:

a. to ensure that when implementing Resolutions 757 and 820 relating to the embargo on Serbia and Montenegro the Sanctions Committee does not delay the supply of humanitarian aid to refugees and displaced persons as well as to the civilian population in Serbia and Montenegro;

b. to allow shipments of humanitarian aid through the Adriatic port of Bar (Montenegro);

c. to ensure that the terms of the peace plan to be concluded safeguard the right of return to their homes of the refugees and displaced persons and provide for the reconstruction of the towns and villages and places of worship damaged in the war;

ii. to the governments of the member states of the United Nations, and in particular those of Council of Europe member states:

a. to take in, as a matter of urgency, refugees from the Federal Republic of Yugoslavia and from the former Yugoslav Republic of Macedonia, in particular for the purpose of family reunion;

b. to contribute generously to the international effort on behalf of refugees and displaced persons in the former Yugoslavia which is being conducted on the ground by the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC) and other governmental and non-governmental international organisations with recognised competence in the area of aid to refugees;

c. to adopt an international agreement on minimum standards for fair and satisfactory asylum procedures;

iii. to the governments of the Council of Europe member states:

a. to avoid the imposition of visa requirements for refugees from Bosnia-Herzegovina, since the neighbouring countries use this as an excuse for prohibiting transit across their territory;

b. to prevent, in co-operation with the United Nations and the Conference on Security and Co-operation in Europe, an extension of the conflict in the Balkans;

iv. to the leaders of the main religions affected by the conflict (Roman Catholic, Orthodox and Muslim):

a. to combine without discrimination their humanitarian activities;

b. to adopt a common front against any continuation of hostilities;

v. to the international and national humanitarian organisations operating in Serbia, Montenegro and the former Yugoslav Republic of Macedonia to monitor closely the distribution of aid;

vi. to the governments of Serbia and Montenegro to immediately discontinue the settlement of refugees in areas where their presence is likely to change the demographic structure of the different communities residing there;

vii. to the governments of the former Yugoslav republics which are now independent to authorise the safe return to their country of origin of refugees and displaced persons whose allegiance to the former federal republic or dual nationality has hitherto prevented them from returning in safety.